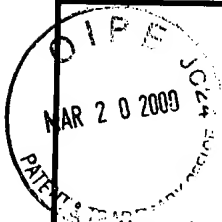


**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Attorney Docket No. SIM-001

#21



In re Application of Ng et al.

Application Serial Number 08/670,119

Filed June 25, 1996

Group Art Unit 1645

Examiner Hayes, R.

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated April 28, 1999, rejecting the following claims: 18, 20-37 and 60-65.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 300.00

☒ Applicant is a small entity under 37 CFR 1.9 and 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ 150.00

A statement of small entity status under 37 CFR 1.27:

☐ is enclosed.

☒ has already been filed in this application.

☒ A check in the amount of the fee is enclosed.

☐ The Commissioner is hereby authorized to charge the required fee to Deposit Account No. 20-0531. Enclosed is a copy of this sheet.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 20-0531.

☐ A petition for a two-month extension of time under 37 CFR 1.136(a) is enclosed.

I am the ☐ applicant.

☐ assignee of record of the entire interest.

☒ attorney or agent of record.

☐ attorney or agent under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a). _____

CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, MA 02110
Tel No.: (617) 248-7000
Fax No.: (617) 248-7100

SIGNATURE BLOCK

Respectfully submitted,

Date: March 14, 2000
Reg. No. 38,349
Tel. No.: (617) 248-7362
Fax No.: (617) 248-7100

Michael J. Twomey
Michael J. Twomey
Attorney for Applicants
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, MA 02110

Twomey7434/2.863822-1

03/22/2000 STEFERRA 00000082 08670119

01 FC:219

150.00 OP



AF/GA 01645/18

MAR 22 2000

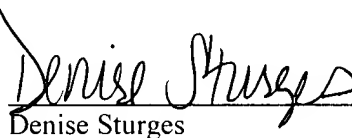
Attorney Docket No. PATENT
SIM-001 CENTER 1600/2900
(7434/2)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Ng et al.
SERIAL NO.: 08/670,119 GROUP NO.: 1645
FILED: June 25, 1996 EXAMINER: Hayes, R.
TITLE: RECEPTOR AND TRANSPORTER ANTAGONISTS

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any documents referred to as enclosed herein, are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to BOX AF, Assistant Commissioner for Patents, Washington, DC 20231, on this 14th day of March, 2000.


Denise Sturges

BOX AF
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith are:

Transmittal Form (1 pg.); Fee Transmittal (1 pg.); Notice of Appeal (1 pg.);
Check in the Amount of \$150.00; and postcard.

Twomey7434/2.960390-1



TRANSMITTAL FORM

Application Serial Number	08/670,119
Filing Date	June 25, 1996
First Named Inventor	Ng et al.
Group Art Unit	1645
Examiner Name	Hayes, R.
Attorney Docket No.	SIM-001 (7434/2)

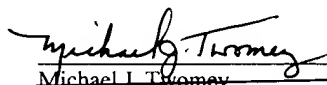
ENCLOSURES (check all that apply)

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form
<input checked="" type="checkbox"/> Check Attached
<input type="checkbox"/> Copy of Fee Transmittal Form
<input type="checkbox"/> Amendment/Response
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____]
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> Form PTO-1449
<input type="checkbox"/> Copies of IDS Citations
<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Response to Missing Parts/Incomplete Application | <input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553)
<input type="checkbox"/> Formal Drawing(s)
<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition to Convert to a Provisional Application
<input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application
<input type="checkbox"/> Small Entity Statement
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> After Allowance Communication to Group | <input type="checkbox"/> Appeal Communication to Board of Patent Appeals and Interferences
<input checked="" type="checkbox"/> Appeal Communication to Group (<i>Appeal Notice, Brief, Reply Brief</i>)
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Return Receipt Postcard
<input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8
<input type="checkbox"/> Additional Enclosure(s) (<i>please identify below</i>) |
|--|---|--|

CORRESPONDENCE ADDRESS

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Respectfully submitted,

Date: March 14, 2000
Reg. No. 38,349
Michael J. Twomey
Tel. No.: (617) 248-7362
Fax No.: (617) 248-7100
Attorney for Applicants
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, MA 02110

FREE TRANSMITTAL

Note: Effective October 1, 1997.
 Patent fees are subject to annual revision

Complete if Known

Application Serial Number 08/670,119
 Filing Date June 25, 1996
 First Named Inventor Ng et al.
 Group Art Unit 1645
 Examiner Name Hayes, R.
 Attorney Docket No. SIM-001 (7434/2)

MAR 22 2000

TECH CENTER 1600/2900

METHOD OF PAYMENT

1. ☒ Payment Enclosed:
☒ Check ☐ Money Order ☐ Other
2. ☒ The Commissioner is hereby authorized to credit or charge any fee indicated below to Deposit Account No. 20-0531.
☐ Required Fees (copy of this sheet enclosed).
☒ Additional fee required under 37 CFR 1.16 and 1.17.
☒ Overpayment Credit.

FEE CALCULATION

1. FILING FEE

Large Entity Fee (\$)	Fee Description	Fee Paid
760	Utility filing fee	
310	Design filing fee	
150	Provisional filing fee	

Number Filed	Number Extra	Rate	Amount
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Total Claims - 20 = x \$ 18.00 =

Independent Claims - 3 = x \$ 78.00 =

☐ Multiple Dependent Claim(s), if any \$260.00 =

TOTAL: 0

SMALL ENTITY DISCOUNT:

SUBTOTAL (1) (\$ 0

2. AMENDMENT CLAIM FEES

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid
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Total - = x \$ 18.00 =

Indep. - = x \$ 78.00 =

☐ First Presentation of Multiple Dep. Claim + \$260.00 =

TOTAL: (\$ 0

SMALL ENTITY DISCOUNT:

SUBTOTAL (2) (\$ 0

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or	
130	130	Non-English specification	
2,520	2,520	For filing a request for reexamination	
110	55	Extension for reply within first month	
380	190	Extension for reply within second month	
870	435	Extension for reply within third month	
1,360	680	Extension for reply within fourth month	
1,850	925	Extension for reply within fifth month	
300	150	Notice of Appeal	150.00
300	150	Filing a brief in support of an appeal	
260	130	Request for oral hearing	
130	130	Petitions to the Commissioner	
50	50	Petitions related to provisional applications	
240	240	Submission of Information Disclosure Statement (37 CFR 1.97(c))	
130	130	Submission of Information Disclosure Statement (37 CFR 1.97(d))	
760	380	Filing a submission after final rejection (37 CFR 1.129(a))	
760	380	For each additional invention to be examined (37 CFR 1.129(b))	
		Other (Specify)	

SUBTOTAL (3) (\$ 150.00

SUBTOTAL (1) 0

SUBTOTAL (2) 0

SUBTOTAL (3) 150.00

TOTAL (\$ 150.00

CORRESPONDENCE ADDRESS

Direct all correspondence to:

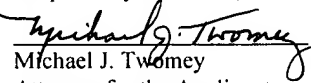
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Twomey7434/2.863875-1

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Respectfully submitted,

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